

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hochrainer ) Art Unit: 3752  
Serial No.: 10/601,737 ) Examiner: Nguyen  
Filed: June 23, 2003 ) Confirmation No.: 9030  
Title: Atomizer for Applying Liquids Onto Eyes  
Docket No.: 1/1223-1-C1

Via EFS

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL RESPONSE**  
for the Petition Under 37 CFR 1.137(B) for Revival of  
Abandoned Application Due to Unintentional Delay

This is a supplemental response for the Petition under 37 CFR 1.137(B) for revival of the above-identified abandoned application due to unintentional delay.

As the required reply with the Petition, a continuation application was concurrently filed via EFS. Attached is the Status Letter indicating that the continuation application was filed on 14 July 2006 and accorded application number 11/457,506. Also attached is the first page of the continuation application wherein benefit of the above-identified application is claimed.

Respectfully submitted,

/Thomas Blankinship/

Thomas Blankinship  
Reg. No. 39,909

## Electronic Acknowledgement Receipt

EFS ID:	1113157
Application Number:	11457506
Confirmation Number:	7296
Title of Invention:	ATOMIZER FOR APPLYING LIQUIDS ONTO EYES
First Named Inventor:	Dieter HOCHRAINER
Customer Number:	28501
Filer:	Thomas Christopher Blankinship
Filer Authorized By:	
Attorney Docket Number:	1-1223-2-C2
Receipt Date:	14-JUL-2006
Filing Date:	
Time Stamp:	11:25:20
Application Type:	Utility
International Application Number:	

### Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 1000
RAM confirmation Number	725
Deposit Account	022955
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	
Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages				
1		1-1223-2-C2-spec-claims-abstract.pdf	130207	yes	23				
	<b>Multipart Description</b>								
	<b>Doc Desc</b>		<b>Start</b>	<b>End</b>					
	Specification		1	20					
	Claims		21	22					
	Abstract		23	23					
<b>Warnings:</b>									
<b>Information:</b>									
2	Drawings	1-1223-2-C2-drawings.pdf	63190	no	2				
<b>Warnings:</b>									
<b>Information:</b>									
3	Oath or Declaration filed	1-1223-2-C2-oath.pdf	163629	no	3				
<b>Warnings:</b>									
<b>Information:</b>									
4	Fee Worksheet (PTO-875)	fee-info.pdf	8351	no	2				
<b>Warnings:</b>									
<b>Information:</b>									
<b>Total Files Size (in bytes):</b>					365377				
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b>New Applications Under 35 U.S.C. 111</b>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b>National Stage of an International Application under 35 U.S.C. 371</b>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>									

## **Atomizer for applying liquids onto eyes**

This Application is a continuation of U.S. Pat. App. No. 10/601,737, filed on June 23, 2003, which is a continuation of U.S. Pat. App. No. 10/185,949, filed on June 28, 2002, which is an application claiming the benefit under 35 USC 119(e) of U.S. Prov. App. No. 60/348,785, filed on October 23, 2001. This Application also claims priority of foreign application DE 10131178, filed on June 29, 2001. This Application incorporates these priority applications by reference in their entireties.

The present invention relates to atomisers for applying liquids to the cornea of the eye or to the connective tissue of the eye, special eye adapters for atomizers and the use of atomizers for ophthalmological administration. The atomizers according to the invention are free from propellant gas and have an energy reservoir for supplying the energy required for the atomizing process.

### Prior art

For treating dry eyes, for moistening the surface of the eye for contact lens wearers, for numerous eye diseases or methods of investigating the eye it is usual to administer medicaments in the form of an aqueous formulation as eye drops. For this form of administration, liquid dispensers have been developed in which the formulation is supplied from a storage bottle through a dropper, for example (dropper bottles or EDO-Ophthiols). The aqueous formulation usually flows out of the dropper opening as a result of manual pressure being applied to the compressible storage bottle. First, a drop forms on the opening, which does not break away from the dropper and drop into the eye until a certain relationship is reached between the size of the dropper opening, the surface tension and the weight of the drop. Usually, aqueous eye drops have a volume